Senate Bill No. 952

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Passed the Senate August 31, 2005

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Secretary of the Senate

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Passed the Assembly August 30, 2005

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Chief Clerk of the Assembly

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This bill was received by the Governor this _____ day of _____, 2005, at _____ o'clock ___ᴍ.

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Private Secretary of the Governor

CHAPTER _____

An act relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SB 952, Denham. State property: Department of Corrections: Correctional Training Facility: Soledad.

Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.

This bill would authorize the director to convey to the City of Soledad, subject to terms, conditions, reservations, and exceptions determined by the director, a specified part of the California Department of Corrections Correctional Training Facility at Soledad. The net proceeds of the conveyance would be paid into the Deficit Recovery Bond Retirement Sinking Fund Account, which is continuously appropriated, thereby making an appropriation.

The bill would specify that it would only become operative if AB 54 of the 2005-06 Regular Session is enacted and chaptered.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Notwithstanding any other provision of law, the Director of General Services may sell, lease, convey, or exchange at current fair market value to the City of Soledad upon those terms and conditions and subject to those reservations and exceptions as the Director of General Services determines are in the best interests of the state, all or any part of the following real property:

Approximately 33.5 acres of the facility known as the California Department of Corrections Correctional Training Facility, Soledad, Monterey County Assessor Parcel Numbers 257-041-020 and 257-041-021.

SEC. 2. Any sale, lease, conveyance, or exchange of the parcels described in this act is exempt from Chapter 3 (commencing with Section 21100) to Chapter 6 (commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code.

SEC. 3. The net proceeds of any moneys received from the disposition of any parcels described in this act shall be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, as created by subdivision (f) of Section 20 of Article XVI of the California Constitution.

SEC. 4. In implementing this act, the Director of General Services shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, together with the right to prospect for, mine, and remove the deposits. The rights to prospect for, mine, and remove the deposits shall be limited to those areas of the property conveyed that the director, after consultation with the State Lands Commission, determines to be reasonably necessary for the removal of the deposits.

SEC. 5. This act shall become operative only if Assembly Bill 54 of the 2005-06 Regular Session is enacted and chaptered.

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Waste treatment capacity at the city's existing waste water treatment plant, which serves the City of Soledad and the two Department of Corrections correctional training facilities in Soledad, has presently been either exceeded or fully utilized. Failure to provide a viable alternative treatment site for effluent from the city and the state's facilities on an expedited basis, creates the potential for an unauthorized effluent discharge with an attendant adverse impact to the environment, health, safety, and welfare of the citizens of Soledad and surrounding communities.

Approved ———————————————, 2005

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                                    Governor